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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Dominique GUESNET et al.

Group Art Unit: 3641

Application No.: 10/814,138

Examiner: M. CLEMENT

Filed: April 1, 2004

Docket No.: 119273

For: DEVICE TO RECUPERATE THE ENERGY PRODUCED DURING THE RECOILING
OF A WEAPON

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the June 30, 2006 Election of Species Requirement, Applicants provisionally elect Species b, Figure 4. Applicants submit that claims 1-6 and 8 read on elected Species b. This election is made with traverse.

It is also respectfully submitted that the subject matter of all species is sufficiently

related that a thorough search for the subject matter of any one species would encompass a search for the subject matter of the remaining species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden.

See MPEP §803 in which is stated that "If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." (Emphasis added). It is respectfully submitted that this policy should apply in the present application to avoid

unnecessary delay and expense to Applicants and duplicative examination by the U.S. Patent and Trademark Office.

In view of the foregoing, it is respectfully submitted that claims 1-9 can be examined without undue burden on the Examiner. Accordingly, it is respectfully requested that the Election of Species Requirement be withdrawn.

Respectfully submitted,



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WPB:SMS/sxb

Date: July 20, 2006

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